

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 452 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE K.M.MEHTA

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

CHANDULAL SHANKERLAL DARJI

Versus

RAMESHCHANDRA VADILAL SHAH & 5

Appearance:

MR BH MEHTA for Petitioner

MR PV NANAVATI for Respondent No. 1

NOTICE SERVED for Respondent No. 6

CORAM : MR.JUSTICE K.M.MEHTA

Date of decision: 02/02/2000

ORAL JUDGEMENT

1. Shri Rameshchandra Vadilal Shah and Shri
Navnitbhai Vadilal Shah were the owners of the property
situated in Ahmedabad cantonment area bearing No.136 as

detailed in para 1 of the plaint. The plaintiff Nos 3 & 4 have let go their interest in the said property. That a room bearing No.136/1 situated towards East abutting on main road is let to the defendant on a monthly rent of Rs.28/- and the month of tenancy commences according to the British Calander. That a Regular Civil Suit No.286/79 was filed on the ground that the arrears of rent for the period from 1.3.79 to 31.5.79 is due and also on the ground of bonafide requirement for personal use and occupation. Plaintiffs served notice to defendant on 2.2.79 and thereby terminated tenancy of the defendant.

2. The defendant contested the suit and ultimately the Civil Judge (SD), Ahmedabad (Rural) at Narol by judgment and order dated 21.10.1980 is pleased to decree the suit of the plaintiffs and also ordered the plaintiff to recover Rs.99/- from the defendantg.

3. Being aggrieved and dissatisfied with the said judgment the landlord filed appeal being Regular Civil Appeal No.121/80. The appellate court being 2nd Extra Assistant Judge, Ahmedabad (Rural) at Narol by judgment and order, dated 20.12.1982 was pleased to allow the appeal and set aside the judgment and decree, dated 21.10.1980 passed by the Civil Judge (S.D), Narol passed in Reg.Civil Suit No.286/79.

4. Being aggrieved and dissatisfied with the said judgment and decree passed in Regular Civil Appeal No.121/80 the present revision application is preferred.

5. During the hearing of the revision application the learned advocate for the opponent-landlord has handed over to this court a post-card 12.1.2000 written by Navnitlal Vadilal Shah, the landlord's brother and opponent No.2 herein wherein it is stated that part of the premises has been purchased by Chandulal Shankerlal Darji. In view of the same this revision application becomes infructuous and accordingly rule is discharged. No order as to costs.

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